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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PABLO MOLGORA,

PLAINTIFF,

-against-

Case No.:
1:17-CV-03766-SN

SHARINN & LIPSHIE, P.C.; HARVEY SHARINN;
COLLINS ASSET GROUP, LLC,

DEFENDANTS.

-----X

DATE: June 13, 2018

TIME: 12:09 P.M.

DEPOSITION of a Defendant,

SHARINN & LIPSHIE, P.C., taken by a witness
herein, SCOTT C. SHARINN, taken by the
Plaintiff, pursuant to a Court Order and to
the Federal Rules of Civil Procedure, held
at the offices of Kaufman, Dolowich &
Voluck, LLP, 40 Exchange Place, 20th Floor,
New York, New York 10005, before Kevin
Haghnazari, a Notary Public of the State of
New York.

<p style="text-align: right;">89</p> <p>1 S. SHARINN</p> <p>2 Street, right?</p> <p>3 A. Yes.</p> <p>4 Q. So how do you know what address</p> <p>5 S&L had for Mr. Molgora prior to 6/13/2016?</p> <p>6 A. That would have been the</p> <p>7 address.</p> <p>8 Q. Beforehand?</p> <p>9 A. Beforehand.</p> <p>10 Q. So that would be the address</p> <p>11 that S&L had the entire time it had the</p> <p>12 account up through 6/13/2016?</p> <p>13 A. Yes, I believe so.</p> <p>14 Q. Your knowledge --</p> <p>15 A. My knowledge is that when you</p> <p>16 take out the old and put in the new, the</p> <p>17 old drops --</p> <p>18 COURT REPORTER: I'm sorry.</p> <p>19 When the old -- I didn't catch the</p> <p>20 last sentence.</p> <p>21 THE WITNESS: When the old is</p> <p>22 replaced with the new, the old</p> <p>23 appears in the notes, in the</p> <p>24 collection notes.</p> <p>25 Q. Why wouldn't the new one</p>	<p style="text-align: right;">90</p> <p>1 S. SHARINN</p> <p>2 appear? I mean, you would think that you</p> <p>3 would want the most current information.</p> <p>4 A. The new one would go into the</p> <p>5 Debtor 1 screen located on SL0039.</p> <p>6 Q. I'm just curious why the old</p> <p>7 one would go in the collection notes. You</p> <p>8 would think that the more important piece</p> <p>9 of information would be the new one, right?</p> <p>10 A. (No answer.)</p> <p>11 Q. Do you have any documents that</p> <p>12 show how this computer system worked?</p> <p>13 A. I mean, not with me.</p> <p>14 Q. No, I know not with you, but</p> <p>15 does S&L have documents that show how this</p> <p>16 computer system worked?</p> <p>17 A. I believe there is user</p> <p>18 manuals.</p> <p>19 Q. What's the name of the program?</p> <p>20 A. Commercial Legal Software.</p> <p>21 Q. And would the manual for</p> <p>22 Commercial Legal Software explain this</p> <p>23 process that you're talking about about</p> <p>24 address changes and where old addresses go</p> <p>25 in the account notes?</p>
<p style="text-align: right;">91</p> <p>1 S. SHARINN</p> <p>2 A. I believe so.</p> <p>3 Q. And is that an off-the-shelf</p> <p>4 software that S&L purchased?</p> <p>5 A. I'm sorry, I don't understand.</p> <p>6 Q. Is Commercial Legal Software --</p> <p>7 that's not software that S&L developed;</p> <p>8 they purchased that software from somewhere</p> <p>9 else?</p> <p>10 A. We purchased it.</p> <p>11 Q. And the -- and has it been</p> <p>12 modified in a significant way in terms of</p> <p>13 how you use it?</p> <p>14 A. What modified?</p> <p>15 Q. The software that you use, it's</p> <p>16 just basically Commercial Legal Software?</p> <p>17 A. It's their -- it's their</p> <p>18 software.</p> <p>19 Q. And how long have you been</p> <p>20 using that?</p> <p>21 A. Quite a long time.</p> <p>22 Q. Because I think we requested</p> <p>23 that. Is that an electronic document, or</p> <p>24 is that like a hard copy?</p> <p>25 A. I don't -- I don't usually use</p>	<p style="text-align: right;">92</p> <p>1 S. SHARINN</p> <p>2 the manual often.</p> <p>3 Q. Do you use -- do new employees</p> <p>4 use the manual to train?</p> <p>5 A. There are pieces that we use to</p> <p>6 train, but not specifically from the</p> <p>7 manual.</p> <p>8 MR. KESHAVARZ: Will you</p> <p>9 produce a copy of the manual?</p> <p>10 MR. SCHER: I'll take the</p> <p>11 request under advisement.</p> <p>12 Q. So 118th Street was the old</p> <p>13 address as of 6/13/2016, and the new</p> <p>14 address after that date was what again?</p> <p>15 A. To the best of my knowledge, it</p> <p>16 was 1500 Mace -- Ace, Apartment Number 8.</p> <p>17 Q. But the only basis of your</p> <p>18 knowledge is the document you're looking</p> <p>19 at, correct?</p> <p>20 A. Yes.</p> <p>21 Q. And did S&L have any other</p> <p>22 address for Mr. Molgora other than 118th</p> <p>23 Street and Ace?</p> <p>24 A. No.</p> <p>25 COURT REPORTER: I'm hearing</p>